

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 608 - HB 1104

March 17, 2023

SUMMARY OF BILL: Authorizes the Department of Children's Services (DCS) to transfer a child, aged 17 or older, who is committed for an offense punishable by confinement and retained in a youth center to the penitentiary, subject to an agreement between the Commissioner of the Department of Corrections and the Commissioner of the DCS.

FISCAL IMPACT:

Increase State Expenditures – \$18,900 Incarceration

Decrease State Expenditures – \$265,050/FY23-24 and Subsequent Years

Assumptions:

- Currently, Tenn. Code Ann. § 37-5-206(a) requires that an individual be at least 18 years of age in order to be transferred to a penitentiary.
- According to information provided by DCS, it is assumed that lowering the age an individual may be transferred to a penitentiary will only effect one individual per year.
- The annual cost of housing a child at the Wilder Youth Development Center is \$265,050; therefore, reducing the occupancy at Wilder Youth Development Center by one individual will create a recurring decrease in state expenditures of \$265,050 in FY23-24 and subsequent years.
- The proposed legislation will result in one additional admission annually serving one year in a penitentiary.
- Based on population data from the U.S. Census Bureau, population growth in Tennessee averaged 0.96 percent per year (from 2018 to 2021).
- The weighted average operational costs per inmate per day are estimated to be \$50.63 for inmates housed at state facilities and \$52.11 for inmates housed at local facilities.
- The estimated increase in incarceration costs is estimated to be the following over the next three-year period:

Increase in State Expenditures	
Amount	Fiscal Year
\$ 18,500	FY23-24
\$ 18,700	FY24-25
\$ 18,900	FY25-26

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- Pursuant to Public Chapter 1007 of 2022, recurring costs increases are to be estimated on the highest of the next three fiscal years; therefore, the recurring increase in incarceration costs will be \$18,900.
- The estimated fiscal impact of the proposed legislation does not consider the availability of beds in state and local facilities, but is based solely on the current operating costs of state facilities and the reimbursement rates for local facilities as is required by Tenn. Code Ann. § 9-4-210.
- All calculations used in completion of this fiscal note are available upon request.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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